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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/802,117	03/16/2004		NECORFA.005CP1

CONFIRMATION NO. 3275

## FORMALITIES LETTER



\*OC00000012852704\*

20995  
 KNOBBE MARTENS OLSON & BEAR LLP  
 2040 MAIN STREET  
 FOURTEENTH FLOOR  
 IRVINE, CA 92614

Date Mailed: 06/03/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

08/05/2004 SZEWDIE1 00000086 10802117

01 FC:2001 385.00 OP  
 02 FC:2051 65.00 OP

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 385 to complete the basic filing fee for a small entity.*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:Total additional fee(s) required for this application is **\$450** for a Small Entity

- **\$385** Statutory basic filing fee.
- **\$65** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria VA 22313-1450

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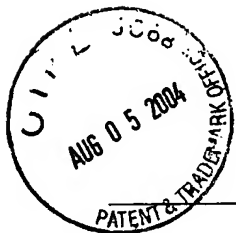
*A copy of this notice MUST be returned with the reply.*

M-HAILE

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



**PATENT**

Case Docket No. NECORFA.005CP1

Date: August 2, 2004

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s) : Earthman, et al.  
App. No. : 10/802,117  
Filed : March 16, 2004  
For : EVALUATION OF  
REFLECTED TIME-ENERGY  
PROFILE FOR EVALUATION  
OF OSSEOINTEGRATION  
AND DENSITY

Group Art Unit : 3732

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

August 2, 2004

(Date)

*Kyle F. Schlueter*  
Kyle F. Schlueter, Reg. No. 54,912

**TRANSMITTAL LETTER**

**Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**

**ATTENTION: MAIL STOP MISSING PARTS**

Dear Sir:

In response to the Notice to File Missing Parts of Application Under 37 CFR 1.53(f), which was mailed by the Office on June 3, 2004, enclosed are:

- (X) A Declaration and Power of Attorney in 4 pages.
- (X) The present application qualifies for small entity status under 37 C.F.R. § 1.27.
- (X) A Notice to File Missing Parts.
- (X) Return prepaid postcard.

**PATENT**

Case Docket No. NECORFA.005CP1

Date: August 2, 2004

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(X) Fees as calculated below:

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FILING FEE	\$ 770
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FEE FOR EXTENSION OF TIME (LARGE ENTITY)	\$ 0
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SURCHARGE 37 CFR 1.16(e)	\$ + 130
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TOTAL OF ABOVE CALCULATIONS	\$ 900
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REDUCTION BY 2 FOR FILING BY SMALL ENTITY.

Note 37 CFR 1.9, 1.27, 1.28. If applicable, verified statement must be attached. \$ - 450


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TOTAL FEES SUBMITTED HEREWITH	\$ 450
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(X) A check in the amount of \$450 to cover the above fees is enclosed.

(X) The Commissioner is hereby authorized to charge any additional fees which may be required, now or in the future, or credit any overpayment, to Account No. 11-1410.

  
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Kyle F. Schlueter  
Registration No. 54,912  
Attorney of Record  
Customer No. 20,995  
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